



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2019 MAR 12 PM 3:06

SENSITIVE

March 12, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP my MAH*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2018 12 Day Pre-General Report
(Unauthorized Committees – Quarterly Filers) for the Administrative Fine
Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2018 12 Day Pre-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2018 through October 17, 2018, and failed to file or timely file the 2018 12 Day Pre-General Report.

The committees listed on the attached RTB Circulation Report failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

As noted above, the 2018 12 Day Pre-General Report circulation list includes unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2018 through October 17, 2018, but failed to file or timely file the 2018 12 Day Pre-General Election

Report. In order to accurately identify these committees for administrative fine purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12G) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed General Election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30G) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through November 26, 2018 (57 days) was reviewed for activity which would have required the filing of a 12G. If our research indicated that a 12G was required, we utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 29.82% (17 days (12G Filing Period)/57 days (30G Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G.
- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through December 31, 2018 (92 days) was reviewed for activity which would have required the filing of a 12G. If our research indicated that a 12G was required, we utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 18.48% (17 days (12G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

3/12/2019 12:00 PM

Federal Election Commission
Reason to Believe Circulation Report
2018 PRE-GENERAL Election Sensitive 10/25/2018 UNAUTH_Q

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTS Penalty
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3/12/2019 12:00 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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3598	C00272724	MAYNARD COOPER & GALE PC PAC		DANIEL M. WILSON	\$223,298	0	11/28/2018	Not Filed	\$4,887	\$684
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3/12/2019 12:00 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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3/12/2019 12:00 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2018)
12 Day Pre-General Report (Unauthorized)
Committees - Quarterly Filers):)

110611110001

Federal Election Commission
Certification for Administrative Fines
March 14, 2019

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MAYNARD COOPER & GALE PC PAC,) AF# 3598
and WILSON, DANIEL M as treasurer;)

CONCLUSIONS

CONCLUSIONS

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,
do hereby certify that on March 14, 2019 the Commission took the following actions
on the Reason To Believe Recommendation - 2018 12 Day Pre-General Report
(Unauthorized Committees - Quarterly Filers) as recommended in the Reports
Analysis Division's Memorandum dated March 12, 2019, on the following
committees:

1-800-4-NI-9-11

1

**Federal Election Commission
Certification for Administrative Fines
March 14, 2019**

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1000-2768

[illegible][illegible]

AF#3598 Decided by a vote of 4-0 to: (1) find reason to believe that MAYNARD COOPER & GALE PC PAC, and WILSON, DANIEL M in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

TOBACCO

1000-276

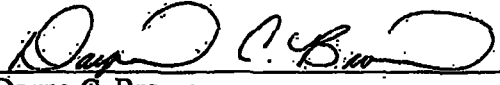
3

Federal Election Commission
Certification for Administrative Fines
March 14, 2019

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Attest:

March 15, 2019
Date


Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 15, 2019

Daniel M. Wilson, in official capacity as Treasurer
Maynard Cooper & Gale PC PAC
1901 Sixth Avenue North, 2400 Regions/Harbert Plaza
Birmingham, AL 35203

C00272724
AF#: 3598

Dear Mr. Wilson:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election. This report, covering the period October 1, 2018 through October 17, 2018, shall be filed no later than October 25, 2018. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the General Election held on November 6, 2018, the report is considered not filed for the purpose of calculating the civil money penalty. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On March 14, 2019, the FEC found that there is reason to believe ("RTB") that Maynard Cooper & Gale PC PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 25, 2018. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$684. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/pay.shtml> 11 C.F.R. § 111.34. Your payment of \$684 is due within forty (40) days of the finding, or by April 23, 2019, and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$4,887
Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 6, 2018 are considered not filed for the purpose of calculating the penalty)
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or April 23, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Maynard Cooper & Gale PC PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$684 for the 2018 Pre-General Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Maynard Cooper & Gale PC PAC

FEC ID#: C00272724

AF#: 3598

PAYMENT DUE DATE: April 23, 2019

PAYMENT AMOUNT DUE: \$684



Daniel M. Wilson
DIRECT 256.512.0102
EMAIL dwilson@maynardcooper.com

March 19, 2019

VIA E-MAIL

Ms. Rhiannon Magruder
Federal Election Commission
Office of Administrative Review
1050 First Street, NE
Washington, DC 20002
E-mail: administrativefines@fec.gov

Re: C00272724 AF#: 3598

Dear Ms. Magruder:

I am writing in regards to the letter we received on Monday, March 18, 2019 stating our committee failed to file a 12 Day Pre-General Report on October 25, 2018. We would like to challenge this RTB Finding and/or Civil Money Penalty on grounds that we were not required to file a report. We did not contribute to a federal candidate during the October 1 – 17, 2018 time frame that would have appeared on a general election ballot in November 2018. After reviewing our Post-General Election Report that we submitted on November 28, 2018 we did find we had a data entry error in the disbursement information for a contribution we made on October 11, 2018. We filed an amended report on Monday, March 18, 2019 at 6:08 p.m. with the Filing ID: FEC-1319847 to reflect the correct disbursement information for the contribution in question. We feel that our amended report will provide the factual documentation needed to support our challenge.

Please feel free to contact me or Tracy Cooper at if you have any questions
or need anything in regards to our challenge.

Sincerely,

A handwritten signature in black ink that reads "Daniel M. Wilson".

Daniel M. Wilson
Shareholder

DMW/tmc



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 17, 2019

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3598 – Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer (C00272724)

Summary of Recommendation

Terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

Reason-to-Believe Background

The 2018 Pre-General Report covering October 1 through October 17, 2018 was due on October 25, 2018. On November 28, 2018, the Committee filed the 2018 Post-General Report covering the period of October 1 through November 26, 2018. The Committee disclosed activity which should have been reported on the 2018 Pre-General Report. The 2018 Pre-General Report is election sensitive. Since the activity was not filed prior to four days before the November 6, 2018 General Election, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On March 14, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Pre-General Report and made a preliminary determination that the civil money penalty was \$684 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on March 15, 2019 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate which is filing on a quarterly basis shall file a pre-election report no later than the 12th day before any election in which the committee makes contributions or expenditures in connection with such election if such disbursements have not been previously disclosed. The report shall disclose all receipts and disbursements as of the 20th day before the election. 52 U.S.C. § 30104(a)(4)(A) and 11 C.F.R. § 104.5(c). The Pre-General Report is an election sensitive report pursuant to 11 C.F.R. § 111.43(d)(1). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On March 21, 2019, the Commission received the written response ("challenge") from the respondents. They state the Committee was not required to file the 2018 Pre-General Report because it did not contribute to a federal candidate from October 1 through October 17, 2018. They further explain the Committee made a data entry error on a disbursement contained in the 2018 Post-General Report. The respondents filed an Amended 2018 Post-General Report on March 18, 2019 to correct the disbursement entry.

Analysis

The Committee's original 2018 Post-General Report, received November 28, 2018, disclosed activity which triggered their requirement to file the 2018 Pre-General Report. The activity included a single disbursement made on October 11, 2018 for \$2,500. The disbursement was made to Schatz for Senate and designated to be in connection with the 2018 General Election. Given this activity was not timely filed on the 2018 Pre-General Report, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Pre-General Report and made a preliminary determination that the civil money penalty was \$684 based on the schedule of penalties at 11 C.F.R. § 111.43.

On March 18, 2019, the Committee informed the RAD Analyst that it had incorrectly reported the election designation for the disbursement in question. The respondents further explained that the Candidate did not participate in the 2018 General Election. The RAD Analyst advised the Committee to file an Amended 2018 Post-General Report to correct the error. That same day, the Committee filed the Amended 2018 Post-General Report. The report discloses the disbursement made to Schatz for Senate and designates it to be in connection with the 2022 Primary Election.

The Amended 2018 Post-General Report discloses no activity which would have required the Committee to file the 2018 Pre-General Report. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

OAR Recommendations

- 1) Terminate the proceedings in AF# 3598 that Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

Attachments

- Attachment 1 –
- Attachment 2 – Declaration from RAD
- Attachment 3 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Maynard Cooper & Gale PC PAC:
 - A) Reason-to-Believe Letter, dated March 15, 2019, referencing the 12 Day Pre-General Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Maynard Cooper & Gale PC PAC filed the 2018 30 Day Post-General Report, covering the 2018 12 Day Pre-General Reporting period as well as the 2018 30 Day Post-General Reporting period from October 1, 2018 through November 26, 2018, with the Commission on November 28, 2018.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 3rd day of April, 2019.

Kristin D. Roser

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A political committee not authorized by a candidate which is filing on a quarterly basis shall file a pre-election report no later than the 12th day before any election in which the committee makes contributions or expenditures in connection with such election if such disbursements have not been previously disclosed. The report shall disclose all receipts and disbursements as of the 20th day before the election. 52 U.S.C. § 30104(a)(4) and 11 C.F.R. § 104.5(c). Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 25, 2018 for the 2018 Pre-General Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover Page and 1 page of Schedule B of the 2018 Post-General Report filed by Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer. The report includes the coverage period of October 1, 2018 through November 26, 2018 and was filed on November 28, 2018.
 - b) Cover Page and 1 page of Schedule B of the Amended 2018 Post-General Report filed by Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer. The report includes the coverage period of October 1, 2018 through November 26, 2018 and was filed on March 18, 2019.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 17th day of April, 2019.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

Maynard Cooper & Gale PC PAC

ADDRESS (number and street)

1901 Sixth Avenue North

2400 Regions/Harbert Plaza

Check if different
than previously
reported. (ACC)

Birmingham

AL

35203-2618

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C00272724

3. IS THIS
REPORT☒NEW
(N)

OR

☐AMENDED
(A)

4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

- ☐ April 15
Quarterly Report (Q1)
- ☐ July 15
Quarterly Report (Q2)
- ☐ October 15
Quarterly Report (Q3)
- ☐ January 31
Year-End Report (YE)
- ☐ July 31 Mid-Year
Report (Non-election
Year Only) (MY)
- ☐ Termination Report
(TER)

(b) Monthly
Report
Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)
(Non-Election
Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)
(Non-Election
Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

MM / DD / YYYY

in the
State of(d) 30-Day
POST-Election
Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

MM / DD / YYYY

in the
State of

5. Covering Period

MM / DD / YYYY

through

MM / DD / YYYY

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Wilson, Daniel, M.,

Type or Print Name of Treasurer

Signature of Treasurer

Wilson, Daniel, M.,

[Electronically Filed]

Date

MM / DD / YYYY

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
Only**FEC FORM 3X**
Rev. 05/2016

SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER:
 (check only one)

PAGE 130 OF 130

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Maynard Cooper & Gale PC PAC

Full Name (Last, First, Middle Initial)

A. MOBROOKSFORCONGRESS.COM

Mailing Address 7610 FOXFIRE DRIVE

City
HUNTSVILLEState
ALZip Code
35802

Purpose of Disbursement

Candidate Name

MOBROOKSFORCONGRESS.COM

Category/
Type

Office Sought:

☒

House

☐

Senate

☐

President

Disbursement For: 2018

☐

Primary

☒

General

☐

Other (specify) ▼

State: AL

District: 05

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
1	0		1	8		2	0	1	8		

FEC Identification Number

C00464149

Transaction ID : SB23.42731

Amount of Each Disbursement this Period

2500.00

Memo Item

Full Name (Last, First, Middle Initial)

B. SCHATZ FOR SENATE

Mailing Address PO BOX 3828

City
HONOLULUState
HIZip Code
96812

Purpose of Disbursement

Candidate Name

SCHATZ FOR SENATE

Category/
Type

Office Sought:

☐

House

☒

Senate

☐

President

Disbursement For: 2018

☐

Primary

☒

General

☐

Other (specify)

State: HI

District: 00

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y
1	0		1	1		2	0	1	8		

FEC Identification Number

C00540732

Transaction ID : SB23.42727

Amount of Each Disbursement this Period

2500.00

Memo Item

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City

State

Zip Code

Purpose of Disbursement

Candidate Name

Category/
Type

Office Sought:

☐

House

☐

Senate

☐

President

Disbursement For:

☐

Primary

☐

General

☐

Other (specify) ▼

State:

District:

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y	Y	Y

FEC Identification Number

C

Amount of Each Disbursement this Period

Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶

5000.00

TOTAL This Period (last page this line number only).....▶

5000.00

Image# 201903189145721364

FEC
FORM 3XREPORT OF RECEIPTS
AND DISBURSEMENTS
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼

Example: If typing, type over the lines.

12FE4M5

Maynard Cooper & Gale PC PAC

ADDRESS (number and street)

1901 Sixth Avenue North

2400 Regions/Harbert Plaza

☐ Check if different than previously reported. (ACC)

Birmingham

AL

35203-2618

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00272724

3. IS THIS REPORT

☐ NEW (N)

OR

☒ AMENDED (A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

- ☐ April 15 Quarterly Report (Q1)
- ☐ July 15 Quarterly Report (Q2)
- ☐ October 15 Quarterly Report (Q3)
- ☐ January 31 Year-End Report (YE)
- ☐ July 31 Mid-Year Report (Non-election Year Only) (MY)
- ☐ Termination Report (TER)

(b) Monthly Report Due On:

☐ Feb 20 (M2)☐ May 20 (M5)☐ Aug 20 (M8)☐ Nov 20 (M11)
(Non-Election Year Only)☐ Mar 20 (M3)☐ Jun 20 (M6)☐ Sep 20 (M9)☐ Dec 20 (M12)
(Non-Election Year Only)☐ Apr 20 (M4)☐ Jul 20 (M7)☐ Oct 20 (M10)☐ Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

☐

Primary (12P)

☐

General (12G)

☐

Runoff (12R)

☐

Convention (12C)

☐

Special (12S)

Election on

MM / DD / YYYY

In the State of

(d) 30-Day POST-Election Report for the:

☒

General (30G)

☐

Runoff (30R)

☐

Special (30S)

Election on

MM / DD / YYYY

In the State of

5. Covering Period

MM / DD / YYYY

through

MM / DD / YYYY

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Wilson, Daniel, M.,

Type or Print Name of Treasurer

Signature of Treasurer

Wilson, Daniel, M.,

[Electronically Filed]

Date

MM / DD / YYYY

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
OnlyFEC FORM 3X
Rev. 05/2016

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 130 OF 130

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Maynard Cooper & Gale PC PAC

Full Name (Last, First, Middle Initial)

A. MOBROOKSFORCONGRESS.COM

Date of Disbursement

Mailing Address 7610 FOXFIRE DRIVE

MM	DD	YYYY
10	18	2018

City
HUNTSVILLEState
ALZip Code
35802

FEC Identification Number

Purpose of Disbursement

C C00464149

Candidate Name

MOBROOKSFORCONGRESS.COM

Category/
Type

Transaction ID : SB23.42731

Amount of Each Disbursement this Period

2500.00

Office Sought:

☒ House
☐ Senate
☐ President

Disbursement For: 2018

☐ Primary ☒ General
☐ Other (specify) ▼

State: AL

District: 05

☐ Memo Item

Full Name (Last, First, Middle Initial)

B. SCHATZ FOR SENATE

Date of Disbursement

Mailing Address PO BOX 3828

MM	DD	YYYY
10	11	2018

City
HONOLULUState
HIZip Code
96812

FEC Identification Number

Purpose of Disbursement

C C00540732

Candidate Name

SCHATZ FOR SENATE

Category/
Type

Transaction ID : SB23.42727

Amount of Each Disbursement this Period

2500.00

Office Sought:

☐ House
☒ Senate
☐ President

Disbursement For: 2022

☒ Primary ☐ General
☐ Other (specify) ▼

State: HI

District: 00

☐ Memo Item

Full Name (Last, First, Middle Initial)

C.

Date of Disbursement

Mailing Address

MM	DD	YYYY

City

State

Zip Code

FEC Identification Number

Purpose of Disbursement

C

Candidate Name

Category/
Type

Amount of Each Disbursement this Period

Office Sought:

☐ House
☐ Senate
☐ President

Disbursement For:

☐ Primary ☐ General
☐ Other (specify) ▼

State:

District:

☐ Memo Item

SUBTOTAL of Disbursements This Page (optional).....

5000.00

TOTAL This Period (last page this line number only).....

5000.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 17, 2019

Daniel M. Wilson, in official capacity as Treasurer
Maynard Cooper & Gale PC PAC
1901 Sixth Avenue North
2400 Regions/Harbert Plaza
Birmingham, AL 35203-2618

C00272724
AF#: 3598

Dear Mr. Wilson:

On March 14, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Maynard Cooper & Gale PC PAC and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$684 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 1050 First Street, NE, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2019 MAY -7 PM 3:12

May 7, 2019

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3598 – Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer (C00272724)

On March 14, 2019, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Pre-General Report and made a preliminary determination that the civil money penalty was \$684 based on the schedule of penalties at 11 C.F.R. § 111.43.

On March 21, 2019, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated April 17, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). To date, a response has not been received.

OAR Recommendations

- 1) Terminate the proceedings in AF# 3598 that Maynard Cooper & Gale PC PAC and Daniel M. Wilson, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3598
Final Determination Recommendation:)
Maynard Cooper & Gale PC PAC and)
Daniel M. Wilson, in his official capacity)
as Treasurer (C00272724))

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on May 21, 2019, the Commission decided
by a vote of 4-0 to take the following actions in AF 3598:

1. Terminate the proceedings in AF# 3598 that Maynard Cooper & Gale
PC PAC and Daniel M. Wilson, in his official capacity as Treasurer,
violated 52 U.S.C. § 30104(a) and close the file.
2. Send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

May 22, 2019
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 2019

Daniel M. Wilson, in official capacity as Treasurer
Maynard Cooper & Gale PC PAC
1901 Sixth Avenue North
2400 Regions/Harbert Plaza
Birmingham, AL 35203-2618

C00272724
AF#: 3598

Dear Mr. Wilson:

On March 14, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Maynard Cooper & Gale PC PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2018 Pre-General Report. By letter dated March 15, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$684 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 21, 2019, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file. The Reviewing Officer Recommendation was sent to you on April 17, 2019.

On May 21, 2019, the Commission adopted the Reviewing Officer's recommendation, and voted to terminate the proceedings with respect to 52 U.S.C. § 30104(a) and close the file. A copy of the Final Determination Recommendation is attached.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Ellen L. Weintraub

Attachment

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THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3598

100021424